

REMARKS

This is responsive to the Office Action dated September 8, 2003 in which the Examiner rejects all the elected pending claims 1-15 and 19-36 as either being anticipated by Chang et al (US Publication No. 2003/0095542) or Neyman (US Patent No. 6,215,783) under 35USC §102(e) or §102(b), or being obvious over combinations of Chang, Newman, Girard (US Publication No. 2003/0095542), Smith (US Publication No. 2003/0123632) and Galvin (US Patent No. 6,134,315) under 35USC §103(a).

Applicants confirm here the provisional election with traverse to prosecute claims 1-15 and 19-36, as reflected in the above complete list of claims. Claims 16-18 are canceled without prejudice. The applicants have amended independent claims 1, 7, 10, 12, 19, 25, 30 and 34 to more precisely define the present invention, and respectfully traverse the rejections of the Examiner, as explained in detail below.

First of all, the applicants believe that a brief explanation of the invention as defined in the claims will be helpful in understanding the patentably distinguishing features of the present invention as claimed over the cited references. The present invention teaches a novel routing technique for routing a telephone call either over PSTN network or over IP network. In particular, according to the teaching of the present invention, a router is directly connected to a call initiating device that initiates the call, and examines the property (e.g., the dialed telephone number) prior to the call reaching a telephone switch (e.g., PBX), whereby the call is routed either to the PSTN network or to the IP network based on the examination result. The device initiating the call may be a telephone, a fax modem, a computer, etc. These distinguishing features are fully supported in the original Specification (e.g., page 7, lines 9 – 17 and page 26,

line 13 – page 27, line 6, as well as in Figures 8 and 9), and are now expressly recited in all independent claims 1, 7, 10, 12, 19, 25, 30 and 34.

(1) The applicants do not believe that the above distinguishing features have been anticipated or taught in any of the cited references. In particular, none of the cited references teaches that a router is directly connected to the call initiating device and examines the call property (e.g., dialed telephone number) before the call reaches a telephone switch (e.g., PBX).

(2) Chang et al (US Publication No. 2003/0095542) discloses an integrated voice gateway system which can route a voice telephone call over an IP network or over the PSTN. However, Chang does not teach that a router is directly connected to the telephone and examines the call before the call reaches a telephone switch. To the contrary, the telephones 38 in Chang are connected directly to the telephone switch PBX 34, as most clearly shown in Figure 2, and thus there is no router in Chang which examines the call property before the call reaches the PBX.

Neyman (US Patent No. 6,215,783) discloses a hybrid IP backbone network for bringing nodes in PSTN networks so as to save call cost. Neyman, however, does not teach that a router is directly connected to the telephone and examines the call before the call reaches a telephone switch, either. In fact, the IP router in node 25 (or 21) recited by the Examiner is not connected directly to a device initiating the call, but connected to a local PSTN network 19 or 17 (most clearly shown in Figure 1).

The applicants have also reviewed other cited references Smith (US Publication No. 2003/0123632) and Galvin (US Patent No. 6,134,315), and cannot find in either of them a teaching that a router is directly connected to the telephone and examines the call before the call reaches a telephone switch.

The applicants cannot identify the cited Girard patent publication on page 7 of the Office Action, which was not included in the mail from the Examiner and is apparently cited by a wrong publication number (which is the same as that of Chang et al) in the Office Action. Thus, the applicants respectfully request that the Examiner provide a copy of Girard, or provide a correct publication/patent number of Girard.

Summing up the above, the applicants cannot find a teaching in any of the cited references, or from any combination of them, the distinguishing features that a router is directly connected to the telephone and examines the call before the call reaches a telephone switch as defined in independent claims 1, 7, 10, 12, 19, 25, 30 and 34. Therefore, all these independent claims are believed patentable under 35 USC §102 and §103. At least for the same reasons, all dependent claims 2-6, 8-9, 11, 13-15, 20 – 24, 26 – 29 and 31 – 33 are also patentable as each of them includes all the limitations of one of the above independent claims.

The applicants respectfully request reconsideration of claims and allowance of them in view of the above remarks and the amendments. The Examiner is authorized to deduct any fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.
900 Route 9 North
Woodbridge, NJ 07095
Telephone (732) 634-7634



Timothy X. Gibson
(Reg. No. 40,618)

DATED: December 8, 2003